

FILED
 MARY L. SWAIN
 BUTLER COUNTY
 CLERK OF COURTS
 05/05/2022 09:16 AM
 CV 2022 05 0719

**COURT OF COMMON PLEAS
 BUTLER COUNTY, OHIO**

**CALVARY INDUSTRIES LLC
 9233 SEWARD ROAD
 FAIRFIELD, OH 45014**

Plaintiff,

v.

**TAV HOLDINGS INC.
 3311 EMPIRE BLVD SW
 ATLANTA, GA 30354**

Defendant.

Case No. _____

Judge _____

COMPLAINT

CALVARY Industries LLC for its Complaint against TAV Holdings Inc., states as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff Calvary Industries LLC ("Calvary") is an Ohio Corporation located at 9233 Seward Rd. Fairfield, OH 45014, with its principal place of business in Butler County, OH.

2. Calvary formulates and produces blended process chemicals and other products including Cal Ban 966 and Cal Flocc 1516.

3. TAV Holdings Inc. ("Defendant") is a resident of Atlanta, GA and has purchased Cal Ban 966 and Cal Flocc 1516 from Calvary.

4. Defendant placed multiple purchase orders with Calvary from its facility in Fairfield, Ohio.

5. This Court has subject matter jurisdiction over this controversy and personal jurisdiction over the parties hereto.

6. Venue is proper in the Court of Common Pleas for Butler County.

CLAIM FOR RELIEF

7. Defendant ordered Cal Ban 966 and Cal Floe 1516 from Calvary as set forth in Calvary invoices 89815 dated December 8, 2021; 89881 dated December 22, 2021; 89883 dated January 12, 2022; 89884 dated January 31, 2022; and 89885 dated March 2, 2022 ("the invoices") in the total amount of \$124,168.10.

8. Pursuant to the invoices, the amount owed was to be paid upon receipt. Defendant has failed to pay the amount owed. Calvary has contacted Defendant on multiple occasions requesting payment. While Defendant has promised to pay the invoice(s) on multiple occasions, it has failed to do so.

9. The invoice(s) are now over 30 days overdue. Pursuant to the invoice(s), Defendant is also liable for "all costs incurred in the collection of any past due accounts, including" all "fees, court costs and attorney fees."

10. Plaintiff Calvary prays for judgment for the full amount of the invoice(s) of \$124,168.10, and for costs, interest, attorney fees and any other relief the Court deems proper.

A handwritten signature in black ink, appearing to read "Tom Grossmann", written over a horizontal line.

Thomas E. Grossmann (0017965)
4533 Morris Court
Mason, OH 45040
(513) 257-6789
TEG@TomGrossmann.com
Attorney for Plaintiff, Calvary Industries LLC


**Calvary
Industries, Inc.**

 9233 Seward Road Fairfield, OH 45014
 Phone: (513) 874-1113 Fax: (513) 860-6184

REMIT TO:
P.O. Box 713868
Cincinnati, OH 45271-3868
Invoice

Date	Invoice #
12/08/21	89815

TAV HOLDINGS
3311 EMPIRE BLVD SW

ATLANTA, GA 30354-
Ship To:
TAV HOLDINGS, INC*CONSIGNMENT
3311 EMPIRE BLVD SW

ATLANTA, GA 30354-
Carrier Pro Number: 257170244

Sales Order No.	Ship Date	Invoice Due Date	Carrier	Freight Terms	Customer PO #	SP1	SP2	SP3
104884	12/08/21	12/08/21	*XPO	PPD & ADD	CONSIGNMENT	TM	PN	LP

Description	Warehouse	Order Quantity	Uom	Ship Quantity	Unit Price	Extended Amount
CAL BAN 966 (2200)LB/(275)GL	CONSIGN	550.00	GL	550.00	12.250	6,737.50
		Bin	TAVHOLDINGS	550.00		
CAL FLOC 1516 (275)GL	CONSIGN	825.00	GL	825.00	21.050	17,366.25
		Bin	TAVHOLDINGS	825.00		

SHIPPING / HANDLING

1,635.16

FUNDS PAID ON PO# PO1034208 APPLIED TO INVOICE. IN THE AMOUNT

PAID
APR 13 2022
BY: EFT
Pd. \$5,000.00
PAID
3/22/22
EFT
Pd: 4,1161.41
PAID
2/24/22
EFT
Pd: 10,000
***OPEN BALANCE**

Pricing reflects a 3% discount for cash or check payments.

Buyer shall pay all costs incurred in the collection of any past due accounts, including all collection agency fees, court costs and attorney fees. Contact Calvary if you have any questions.

Total gross	:	\$ 11,577.50	24,103.75
Total discount	:		0.00
Total shipping / handling	:		1,635.16
Misc charges	:		0.00
Total tax	:		0.00
Total net amount	:		25,738.91 USD


**Calvary
Industries, Inc.**

 9233 Seward Road Fairfield, OH 45014
 Phone: (513) 874-1113 Fax: (513) 860-6184

REMIT TO:
P.O. Box 713868
Cincinnati, OH 45271-3868
Invoice

Date	Invoice #
12/22/21	89881

TAV HOLDINGS
3311 EMPIRE BLVD SW

ATLANTA, GA 30354-

Ship To:
TAV HOLDINGS, INC*CONSIGNMENT
3311 EMPIRE BLVD SW

ATLANTA, GA 30354-

Sales Order No.	Ship Date	Invoice Due Date	Carrier	Freight Terms	Customer PO #	SP1	SP2	SP3
104929	12/22/21	12/22/21	*R&L	DELIVERED	CONSIGNMENT	TM	PN	LP

Description	Warehouse	Order Quantity	Uom	Ship Quantity	Unit Price	Extended Amount
CAL FLOC 1516 (275)GL	CONSIGN	825.00	GL	825.00	21.050	17,366.25
		Bin	TAVHOLDINGS	825.00		

3 TOTES						
CAL BAN 966 (2200)LB/(275)GL	CONSIGN	1,650.00	GL	1,650.00	12.250	20,212.50
		Bin	TAVHOLDINGS	1,650.00		

6 TOTES

6.25 TOTES

Pricing reflects a 3% discount for cash or check payments.

Buyer shall pay all costs incurred in the collection of any past due accounts, including all collection agency fees, court costs and attorney fees. Contact Calvary if you have any questions.

Total gross	:	37,578.75
Total discount	:	0.00
Total shipping / handling	:	0.00
Misc charges	:	0.00
Total tax	:	0.00
Total net amount	:	37,578.75 USD

**Invoice**

REMIT TO:
P.O. Box 713868
Cincinnati, OH 45271-3868

Date	Invoice #
01/12/22	89883

TAV HOLDINGS
3311 EMPIRE BLVD SW

ATLANTA, GA 30354-

Ship To:
TAV HOLDINGS, INC*CONSIGNMENT
3311 EMPIRE BLVD SW

ATLANTA, GA 30354-

Sales Order No.	Ship Date	Invoice Due Date	Carrier	Freight Terms	Customer PO #	SP1	SP2	SP3
104930	01/12/22	01/12/22	*XPO	PPD & ADD	CONSIGNMENT	TM	PN	LP

Description	Warehouse	Order Quantity	Uom	Ship Quantity	Unit Price	Extended Amount
CAL BAN 966 (2200)LB/(275)GL	CONSIGN	1,100.00	GL	1,100.00	12.250	13,475.00
		Bin	TAVHOLDINGS	1,100.00		
4 TOTES						
SHIPPING / HANDLING						859.21
4.17 TOTES						

Pricing reflects a 3% discount for cash or check payments.

Buyer shall pay all costs incurred in the collection of any past due accounts, including all collection agency fees, court costs and attorney fees. Contact Calvary if you have any questions.

Total gross	:	13,475.00
Total discount	:	0.00
Total shipping / handling	:	859.21
Misc charges	:	0.00
Total tax	:	0.00
Total net amount	:	14,334.21 USD


**Calvary
Industries, Inc.**

 9233 Seward Road Fairfield, OH 45014
 Phone: (513) 874-1113 Fax: (513) 860-8184

REMIT TO:
P.O. Box 713868
Cincinnati, OH 45271-3868
Invoice

Date	Invoice #
01/31/22	89884

TAV HOLDINGS
 3311 EMPIRE BLVD SW
 ATLANTA, GA 30354-

Ship To:
 TAV HOLDINGS, INC*CONSIGNMENT
 3311 EMPIRE BLVD SW
 ATLANTA, GA 30354-

Carrier Pro Number: 257-083131

Sales Order No.	Ship Date	Invoice Due Date	Carrier	Freight Terms	Customer PO #	SP1	SP2	SP3
104932	01/31/22	01/31/22	*XPO	PPD & ADD	CONSIGNMENT	TM	PN	LP

Description	Warehouse	Order Quantity	Uom	Ship Quantity	Unit Price	Extended Amount
CAL FLOC 1516 (275)GL	CONSIGN	1,375.00	GL	1,375.00	21.050	28,943.75
		Bin	TAVHOLDINGS	1,375.00		
5 TOTES						
FREIGHT CHARGE						1,062.09

Pricing reflects a 3% discount for cash or check payments.

Buyer shall pay all costs incurred in the collection of any past due accounts, including all collection agency fees, court costs and attorney fees. Contact Calvary if you have any questions.

Total gross	:	28,943.75
Total discount	:	0.00
Total shipping / handling	:	1,062.09
Misc charges	:	0.00
Total tax	:	0.00
Total net amount	:	30,005.84 USD


**Calvary
Industries, Inc.**

 9233 Seward Road Fairfield, OH 45014
 Phone: (513) 874-1113 Fax: (513) 860-6184

REMIT TO:
P.O. Box 713868
Cincinnati, OH 45271-3868
Invoice

Date	Invoice #
03/02/22	89885

TAV HOLDINGS
3311 EMPIRE BLVD SW

ATLANTA, GA 30354-

Ship To:
TAV HOLDINGS, INC*CONSIGNMENT
3311 EMPIRE BLVD SW

ATLANTA, GA 30354-

Sales Order No.	Ship Date	Invoice Due Date	Carrier	Freight Terms	Customer PO #	SP1	SP2	SP3
104933	03/02/22	03/02/22	MAX TRANSPORTATION	PPD & ADD	CONSIGNMENT	TM	PN	LP

Description	Warehouse	Order Quantity	Uom	Ship Quantity	Unit Price	Extended Amount
CAL BAN 966 (2200)LB/(264)GL	CONSIGN	528.00	GL	528.00	12.250	6,468.00
		Bin	TAVHOLDINGS	528.00		
2 TOTES						
CAL FLOC 1516 (264)GL	CONSIGN	1,056.00	GL	1,056.00	21.050	22,228.80
		Bin	TAVHOLDINGS	1,056.00		
4 TOTES						
SHIPPING / HANDLING						1,975.00
3.84 TOTES						

Pricing reflects a 3% discount for cash or check payments.

Buyer shall pay all costs incurred in the collection of any past due accounts, including all collection agency fees, court costs and attorney fees. Contact Calvary if you have any questions.

Total gross	:	28,696.80
Total discount	:	0.00
Total shipping / handling	:	1,975.00
Misc charges	:	0.00
Total tax	:	0.00
Total net amount	:	30,671.80 USD



MARY L. SWAIN
BUTLER COUNTY CLERK OF COURTS

Z000052481

TAV HOLDINGS INC
3311 EMPIRE BLVD SW
Atlanta, GA 30354

Date: May 9, 2022

Case No. : CV 2022 05 0719

CALVARY INDUSTRIES LLC vs. TAV HOLDINGS INC

SUMMONS ON COMPLAINT BY CERTIFIED MAIL
COURT OF COMMON PLEAS, BUTLER COUNTY, OHIO

To the above named party: You are hereby summoned to answer a complaint that has been filed against you in the Butler County Common Pleas Court by the plaintiff(s) named herein. A copy of the complaint is attached.

You are required to serve upon the plaintiff(s) attorney, or upon the plaintiff(s) if there is no attorney of record, a copy of your answer to the complaint within 28 days after receipt of this summons, exclusive of the day of service. The answer must be filed with this court within three days after service on Plaintiff's attorney.

The name and address of the plaintiff(s) attorney is as follows:

GROSSMANN, THOMAS E
9867 BEECH DRIVE
CINCINNATI, OH 45231

If you fail to appear and defend, judgment by default may be taken against you for the relief demanded in the complaint.

MARY L. SWAIN
Butler County Clerk of Courts

A handwritten signature in cursive script that reads "Mary L. Swain".

By: Norma Martin
Deputy Clerk



CV 2022 05 0719

Date Produced: 05/16/2022

Butler County, Ohio Clerk of Courts:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8300 0075 7009 10. Our records indicate that this item was delivered on 05/13/2022 at 02:06 p.m. in ATLANTA, GA 30354. The scanned image of the recipient information is provided below.

Signature of Recipient :

CUVID
CUVID

Address of Recipient :

3311 EMPIRE BLVD SW
ATLANTA, GA 30354

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

TAV HOLDINGS INC
3311 EMPIRE BLVD SW
ATLANTA, GA 30354

USPS MAIL PIECE TRACKING NUMBER: 4203035492148901940383000075700910

MAILING DATE: 05/09/2022
DELIVERED DATE: 05/13/2022
Case Number: CV 2022 05 0719
Tracking Number: Z000052481
Clerk: By: Norma Martin

MAIL PIECE DELIVERY INFORMATION:

TAV HOLDINGS INC
3311 EMPIRE BLVD SW
Atlanta, GA 30354

MAIL PIECE TRACKING EVENTS:

05/09/2022 14:43 PRE-SHIPMENT INFO SENT USPS AWAITING ITEM
05/10/2022 21:14 ORIGIN ACCEPTANCE
05/10/2022 22:29 PROCESSED THROUGH USPS FACILITY
05/12/2022 14:16 PROCESSED THROUGH USPS FACILITY
05/13/2022 08:33 ARRIVAL AT UNIT
05/13/2022 08:44 OUT FOR DELIVERY
05/13/2022 14:06 DELIVERED LEFT WITH INDIVIDUAL

HAMILTON, OH 45011
HAMILTON, OH 45011
CINCINNATI OH DISTRIBUTION CENT 45234
ATLANTA GA DISTRIBUTION CENTER 30304
ATLANTA, GA 30354
ATLANTA, GA 30354
ATLANTA, GA 30354

FILED BUTLER CO.
COURT OF COMMON PLEAS

MAY 17 2022

MARY L. SWAIN
CLERK OF COURTS

Courtview Tracking No.: Z000052481